
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

JOHN MCADAMS,

Plaintiff,

*versus*PALOMAR SPECIALTY
INSURANCE COMPANY,
WELLINGTON CLAIM SERVICE, INC.,
and NICHOLAS ABDALLAH,

Defendants.

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CIVIL ACTION NO. 1:18-CV-633

MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION

The court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration and recommended disposition of case-dispositive motions. The magistrate judge issued a report and recommendation on the plaintiff's motion to remand. Judge Giblin recommended that the Court deny the motion to remand. He further recommended dismissal of the adjuster defendants, Wellington Claim Service, Inc. ("Wellington") and Nicholas Abdallah ("Abdallah"), based on the defendant insurer Palomar Specialty Insurance Company's election of liability pursuant to Texas Insurance Code § 542A.006(b).

No party has objected to the magistrate judge's recommendation. After review, the Court finds that Judge Giblin's findings and recommendations should be accepted.

The Court ORDERS that the report and recommendation (#20) is ADOPTED. The Court further ORDERS that the plaintiff's motion to remand (#7) is DENIED.

The plaintiff's claims asserted against defendants Wellington and Abdallah are DISMISSED in their entirety, with prejudice. The Clerk is directed to terminate Wellington and Abdallah as active party defendants at this time. All other causes of action remain pending.

SIGNED at Tyler, Texas, this 20th day of June, 2019.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE